

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF IOWA  
CEDAR RAPIDS DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**VICTOR BERNARD JONES,**

**Defendant.**

**No. CR 09-0083**

**REPORT AND RECOMMENDATION  
REGARDING MOTION TO  
SUPPRESS**

On the 20th day of January 2010, this matter came on for hearing on the Motion to Suppress (docket number 17) filed by the Defendant on January 11, 2010. The Government was represented by Special Assistant United States Attorney Dan Chatham. Defendant Victor Bernard Jones appeared personally and was represented by his attorney, Webb L. Wassmer. The motion to suppress raised two issues: First, whether statements Defendant made to law enforcement officers on December 16, 2008 must be suppressed; and second, whether Defendant's identification by a police officer on May 21, 2009 must be suppressed. The motion was taken under advisement.

On February 3, 2010, however, Defendant entered an unconditional plea of guilty to Count 1 of the Superseding Indictment. Defendant acknowledged at the plea change hearing that by entering a plea of guilty, he was waiving all claims or arguments which were raised in his motion to suppress. That is, Defendant acknowledged that the motion to suppress should be denied as moot.

Accordingly, the Court respectfully recommends that the District Court deny Defendant's motion to suppress as moot.

## RECOMMENDATION

IT IS THEREFORE RECOMMENDED that the District Court **DENY** Defendant's Motion to Suppress (docket number 17) as moot. The parties are advised, pursuant to 28 U.S.C. § 636(b)(1), that within fourteen (14) days after being served with a copy of this Report and Recommendation, any party may serve and file written objections with the District Court.

DATED this 3rd day of February, 2010.

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JON STUART SCOLES  
UNITED STATES MAGISTRATE JUDGE  
NORTHERN DISTRICT OF IOWA